

CODE OF THE CITY OF YONKERS, NEW YORK (updated 05-15-2007, Supplement No. 11)
PART IX, PUBLIC PROPERTY AND STREETS
Chapter 103, STREETS AND SIDEWALKS
ARTICLE XII, Sidewalk Displays [Adopted 10-27-1992 as G.O. No. 9-1992]
§ 103-94. Encumbrances or obstructions on streets or sidewalks.

§ 103-94 . Encumbrances or obstructions on streets or sidewalks.

A. Except as may be otherwise provided herein, no person, firm or corporation shall encumber or obstruct the sidewalks, streets or public ways with goods, wares, merchandise, boxes, household furniture or other articles unless such articles are temporarily placed on the sidewalk, street or public way solely for the purposes of loading or unloading and such articles are removed without delay and at all times sufficient space is maintained to permit the uninterrupted passage of pedestrians.

B. It shall further be unlawful for any person, firm or corporation operating a retail establishment to vend, sell, dispose of or offer to vend, sell or dispose of or display any goods, wares or merchandise on any public sidewalk, nor shall any merchandise be displayed upon or affixed against or between any parking meter, fire hydrant, telephone or utility lines and/or poles.

§ 103-95. Display of articles from contrivances over sidewalks.

No person, firm or corporation shall hang, place, attach or display any goods, merchandise or other articles upon any fence, gate, awning, canopy or their frames over a sidewalk.

§ 103-96. Exception; permit required.

The owner or operator of a retail establishment primarily engaged in the sale of flowers, plants, fruits or vegetables may apply to the Bureau of Consumer Protection for a permit for the temporary display or sale of flowers, plants, fruits or vegetables upon the public sidewalk directly in front of the retail store or building in which such business is conducted in accordance with the regulations hereinafter established.

§ 103-97. Application.

Application for a permit to display or sell flowers, plants, fruits or vegetables on a public sidewalk shall be made in writing to the Bureau of Consumer Protection. The application shall contain the name of the applicant, if an individual, the names of partners, if a copartnership, or the names of the principal officers, if a corporation, church, club or charitable institution and shall include the location of the place or places where such flowers, plants, fruits or vegetables are to be displayed. Said application must be approved by the Bureau of Housing and Buildings as well as the Bureau of Consumer Protection.

§ 103-98. Insurance.

The applicant shall file with the application for the permit a certificate of public liability insurance in the amount of not less than \$1,000,000 and property damage insurance in the amount of not less than \$50,000 for any one accident and \$100,000 in the aggregate, with the City of Yonkers listed as

additional insured, said certificate to be approved as to form, correctness and adequacy by the Corporation Counsel, to insure the city against injury or damage arising out of the granting of the permit or from any negligence or fault of said applicant, his agents, servants or employees in connection with said display or with any work related thereto. Such insurance must remain in force throughout the effective period of the permit as well as any authorized extensions thereof and shall carry an endorsement to the effect that the insurance company will give at least 60 days' written notice to the city of any modifications or cancellation of any such insurance.

§ 103-99. Permit fee; expiration.

The permit fee to be charged for such application is \$100 per annum. No permit shall be valid for more than one year, and the permit shall contain a stated expiration date.

§ 103-100. Regulations.

Each permit holder shall be subject to the following regulations: